

Plaintiff's Name SUTEN BLACKGOLD
CDCR No. AS-8775
Address KERN VALLEY STATE PRISON
P.O. BOX 5103, DELANO, CA.
93216



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SUTEN BLACKGOLD
(Name of Plaintiff)

1:22-cv-00930 GSA PC
(Case Number)

VS.

CDCR
C. PFEIFFER
J. KEISTER
S. CALDERON

(Names of all Defendants)

CIVIL RIGHTS COMPLAINT UNDER:

☒ 42 U.S.C. 1983 (State Prisoner)

"DEMAND JURY TRIAL !!!"
JOINTLY & SEVERALLY...

I. Previous Lawsuits (list all other previous or pending lawsuits on additional page):

- A. Have you brought any other lawsuits while a prisoner? Yes ☒ No ☐
B. If your answer to A is yes, how many? 1

Describe previous or pending lawsuits in the space below. (If more than one, attach additional page to continue outlining all lawsuits in same format.)

1. Parties to this previous lawsuit:

Plaintiff SUTEN BLACKGOLD
Defendants KVSP CASE RECORDS DEPARTMENT

2. Court (if Federal Court, give name of District; if State Court, give name of County)

USDC (EASTERN DISTRICT)

3. Docket Number 1:21-cv-00857-JLT-SAB 4. Assigned Judge STANLEY A. BOONE

5. Disposition (Was the case dismissed? Appealed? Is it still pending?)

STILL PENDING6. Filing Date (approx.) 5-26-20217. Disposition Date (approx.) 3-20-2023

II. Exhaustion of Administrative Remedies

NOTICE: Pursuant to the Prison Litigation Reform Act of 1995, "[n]o action shall be brought with respect to prison conditions under [42 U.S.C. § 1983], or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." 42 U.S.C. § 1997e(a). Prior to filing suit, inmates are required to exhaust the available administrative remedy process, Jones v. Bock, 549 U.S. 199, 211, 127 S.Ct. 910, 918-19 (2007); McKinney v. Carey, 311 F.3d 1198, 1999 (9th Cir. 2002), and neither futility nor the unavailability of money damages will excuse the failure to exhaust, Porter v. Nussle, 534 U.S. 516, 524, 122 S.Ct. 983, 988 (2002). If the court determines that an inmate failed to exhaust prior to filing suit, the unexhausted claims will be dismissed, without prejudice. Jones, 549 U.S. at 223-24, 127 S.Ct. at 925-26.

A. Is there an inmate appeal or administrative remedy process available at your institution?

Yes ☒ No ☐B. Have you filed an appeal or grievance concerning ALL of the facts contained in this complaint?Yes ☒ No ☐

C. Is the process completed?

Yes ☒

If your answer is yes, briefly explain what happened at each level.

(602) #272990... CLAIM #004 WAS REFERRED TO AN APPROPRIATE AUTHORITY WITHIN THE DEPARTMENT. THE DECISION ~~EXHAUSTS~~ EXHAUSTS ALL ADMINISTRATIVE REMEDIES AVAILABLE TO ME, AS OF 7-19-2022. I SPOKE TO "THERESE GIANNELLI" FROM THE OFFICE OF THE OMBUDSMAN, SAC, CA. AS WELL...

No ☐

If your answer is no, explain why not.

III. Defendants

List each defendant's full name, official position, and place of employment and address in the spaces below. If you need additional space please provide the same information for any additional defendants on separate sheet of paper.

- A. Name CDCR is employed as CDCR
 Current Address/Place of Employment CDCR / KVSP, DELANO, CA.
- B. Name C. PFEIFFER is employed as WARDEN
 Current Address/Place of Employment KVSP, DELANO, CA.
- C. Name J. KEISTER is employed as C/O
 Current Address/Place of Employment KVSP, DELANO, CA.
- D. Name S. CALDERON is employed as C/O
 Current Address/Place of Employment KVSP, DELANO, CA.
- E. Name _____ is employed as _____
 Current Address/Place of Employment _____

IV. Causes of Action (You may attach additional pages alleging other causes of action and the facts supporting them if necessary. Must be in same format outlined below.)

Claim 1: The following civil right has been violated (e.g. right to medical care, access to courts, due process, free speech, freedom of religion, freedom from cruel and unusual punishment, etc.):

HATE CRIME / DUE PROCESS ... (CIVIL CONSPIRACY)

Supporting Facts (Include all facts you consider important to Claim 1. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Claim 1.):

ON 4-28-2022, CDCR AND C. PFEIFFER, IRRESPONSIBLY SUPPORTED STAFF MISCONDUCT, WHEN THEY WERE IN FAVOR OF EXTREME HATE CRIME ACTIVITIES INTENTIONALLY. CDCR AND C. PFEIFFER, DISREGARDED THEIR RESPONSIBILITIES FOR THE CUSTODY AND HUMANE TREATMENT OF SIXTEN BLACKHOLD UNDER THEIR CHARGE, WHEN THEY ENDORSED FABRICATED REPORTS

AND EVIDENCE BY A PEACE OFFICER AGAINST SUTEN BLACKGOLD INTENTIONALLY. ON 4-28-2022 AT APPROXIMATELY 5:18 PM, J. KEISTER FALSELY REPORTED THAT HE WAS ASSAULTED WITH A DEADLY WEAPON BY SUTEN BLACKGOLD. J. KEISTER PARTICIPATED IN HATE CRIME ACTIVITIES AGAINST SUTEN BLACKGOLD, BECAUSE OF GENDER, SEXUAL ORIENTATION, DISABILITY, AND RACE/ETHNICITY. J. KEISTER WAS NEVER EVER ASSAULTED WITH A DEADLY WEAPON ON 4-28-2022. ON 4-28-2022 S. CALDERON, SUPPORTED HATE CRIME ACTIVITIES AND FALSE REPORTS WRITTEN BY J. KEISTER INTENTIONALLY AGAINST SUTEN BLACKGOLD THAT DENIED SUTEN BLACKGOLD DUE PROCESS. ALL THIS WAS DONE DIABOLICALLY TO VIOLATE THE RIGHTS OF SUTEN BLACKGOLD INTENTIONALLY.

Claim 2: The following civil right has been violated (e.g. right to medical care, access to courts, due process, free speech, freedom of religion, freedom of association, freedom from cruel and unusual punishment, etc.):

Supporting Facts (include all facts you consider important to Claim 2. State what happened clearly and in your own words. You need not cite legal authority or argument. Be certain to describe exactly what each defendant, by name, did to violate the right alleged in Claim 2.):

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

PROSPECTIVE RELIEF DAMAGES: From GUARD BRUTALITY AND HARASSMENT; CONTINUING VIOLATION OF ANY OF MY RIGHTS.

• AWARD "SUTEN BLACKGOLD"...

PUNITIVE DAMAGES: \$50,000 (JOINTLY & SEVERALLY)

COMPENSATORY DAMAGES: \$50,000 (JOINTLY & SEVERALLY)

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS DAMAGES: \$50,000 (J&S)

I declare under penalty of perjury that the foregoing is true and correct.

Date: 7-21-2022

Signature of Plaintiff:

Suten Blackgold